

got sick and sought medical care, but more importantly, no one should go bankrupt when this legislative body has the opportunity to act.

As if in legislative session, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 585, the States Achieve Medicaid Expansion Act; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Madam President, in reserving the right to object, I appreciate we all want to help Americans get the healthcare they need, but what my colleagues are proposing is a Federal bailout that will help a handful of States but do little to directly help patients. That is not fair to Americans across the Nation who need better access to affordable healthcare.

We have seen that a government takeover of healthcare does not work. ObamaCare was sold on a lie, plain and simple. Let's remember, when ObamaCare passed, they promised it would save \$2,500 per family. Not true. Costs and premiums went up. They promised that you could keep your doctor. Not true. Provider networks got narrower, and people lost their doctors. They promised, if you liked your plan, you could keep it. Again, this was not true. The promise of ObamaCare didn't happen. Actually, the opposite happened. Under ObamaCare, costs skyrocketed, and families lost the doctors they liked.

The American people don't want more lies. Actually, they want more solutions. The solution is not to create more inequity in the system. What we need is to take concrete steps to make sure we help all families across the Nation actually get the healthcare they need. My colleague's bill does nothing to help patients. States will make their own decisions on Medicaid. Giving certain States free Medicaid is nothing more than a bailout for State budgets.

In June, I wrote to all 50 Governors and requested information on how their States have allocated the trillions of dollars in taxpayer funding from the Federal coronavirus response measures that had been passed by Congress. Unfortunately, a majority of the States simply chose not to respond, including Virginia and Alabama.

The Federal Government already allocated \$1 trillion to States and local governments to respond to the coronavirus, but these States are refusing to tell us how they are spending these extra funds, including the estimated extra \$50 billion in Federal Medicaid dollars they received in the Families First Act. Since the Families First Act has passed, Medicaid costs have actually gone down, but the States don't want to tell us that because they simply want bailouts.

Instead of pursuing a partisan bailout of a select number of States, I want to use this opportunity to propose a commonsense solution that would use bipartisan principles to help every single American in this country. Though ObamaCare was a failure, I support protecting people with preexisting conditions and ensuring that young adults can stay on their parents' health plans until age 26. I think my colleagues would also support these principles.

I have been working with Senator TILLIS on the PROTECT Act, which would directly assist Americans by, one, guaranteeing coverage for preexisting conditions and prohibiting insurance companies from excluding coverage of treatment for a patient's preexisting condition; two, prohibiting insurance companies from charging Americans higher premiums due to their preexisting conditions; and, three, guaranteeing the availability of health insurance coverage in the employer or individual market regardless of one's preexisting condition. My amendment builds on the PROTECT Act and adds protections to allow young adults to stay on their parents' health insurance plans until they are 26.

We could pass this amendment, which I believe has bipartisan support, and ensure that every American with a preexisting condition is protected no matter how the Supreme Court rules on ObamaCare.

The American people and, certainly, the people of Florida, Virginia, and Alabama want us to get something done that would actually reduce healthcare costs and increase access to care. That is what my proposal does. Protecting Americans with preexisting conditions is a commonsense step we can and should take today to lower the costs of healthcare for all Americans. I hope my colleagues will join me in supporting these bipartisan healthcare reforms.

Therefore, I ask the Senator to modify his request to include my substitute amendment, which is at the desk; that it be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. WARNER. Madam President, in reserving the right to object, I have great respect for my friend, the Senator from Florida. I know he has a long and deep background in healthcare, but I have some news. The Affordable Care Act already provides strong protections for millions of Americans with preexisting conditions.

I believe, unfortunately, the legislation my colleague is proposing would allow insurance companies to, once again, impose arbitrary annual and lifetime cap limits on care, and it would allow insurance companies to refuse to cover essential health bene-

fits, like mental health coverage, substance use disorder, or maternity care.

I don't believe we can go back to the days when a certain number of companies held all the power and consumers were routinely denied access to healthcare. I do believe the SAME Act—again, sponsored by my good friend, the Senator from Alabama—would simply continue to extend the right to have the same level of Federal subsidies for all States. We are seeing voters across the country, as they have a chance to weigh in on this, agree to this principle, which is that those same rights ought to be extended to States like Alabama, which has chosen not to move forward, and to States like Virginia, which has moved forward but a little bit late. I still strongly believe that the SAME Act, which would equalize and level the playing field, is the appropriate action.

Respectfully, I object to the unanimous consent request of the Senator from Florida to pass this bill.

The PRESIDING OFFICER. Objection is heard.

Is there an objection to the original request?

The Senator from Florida.

Mr. SCOTT of Florida. Madam President, in reserving the right to object, first of all, I thank my colleagues, and I hope to work with them to figure out how we can drive healthcare costs down because, as we know in all of our States, healthcare costs are too high, and as my colleagues have said, we have people who are being impacted because they can't afford the cost of healthcare.

I am clearly disappointed. My colleagues don't want to protect those with preexisting conditions and ensure that young adults can stay on their parents' plans until age 26 if ObamaCare is actually ruled unconstitutional by the Supreme Court. Whether by figuring out how to bring drug prices down or just the whole cost of healthcare, I hope that we can figure out how to work together because the costs shouldn't be this high.

Therefore, respectfully, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WARNER. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2024. (Reappointment)

Mitch McConnell, Joni Ernst, John Thune, Cindy Hyde-Smith, Roy Blunt, John Cornyn, Marsha Blackburn, Deb Fischer, John Barrasso, Shelley Moore Capito, Todd Young, John Boozman, Lamar Alexander, David Perdue, Kevin Cramer, Tim Scott, Michael B. Enzi.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2024, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER (Mr. CRAMER). Are there any other Senators in the Chamber desiring to vote or to change their vote?

The yeas and nays resulted—yeas 56, nays 41, as follows:

[Rollcall Vote No. 150 Ex.]

YEAS—56

Alexander	Feinstein	Peters
Baldwin	Gillibrand	Reed
Bennet	Graham	Rosen
Blumenthal	Harris	Sanders
Blunt	Hassan	Schatz
Booker	Heinrich	Schumer
Brown	Hirono	Shaheen
Cantwell	Jones	Sinema
Cardin	Kaine	Sinema
Carper	King	Smith
Casey	Klobuchar	Stabenow
Collins	Leahy	Sullivan
Coons	Manchin	Tester
Cornyn	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Daines	Merkley	Warner
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Ernst	Murray	Wyden

NAYS—41

Barrasso	Hoeven	Roberts
Blackburn	Hyde-Smith	Romney
Boozman	Inhofe	Rounds
Braun	Johnson	Rubio
Capito	Kennedy	Sasse
Cassidy	Lankford	Scott (FL)
Cotton	Lee	Scott (SC)
Cramer	Loeffler	Shelby
Crapo	McConnell	Thune
Enzi	McSally	Tillis
Fischer	Paul	Toomey
Gardner	Perdue	Wicker
Grassley	Portman	Young
Hawley	Risch	

NOT VOTING—3

Burr	Cruz	Moran
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The PRESIDING OFFICER. The yeas are 56, the nays are 41.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lauren McGarity McFerran, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2024. (Reappointment)

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the McFerran nomination?

Mr. WHITEHOUSE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), and the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 151 Ex.]

YEAS—53

Alexander	Gillibrand	Reed
Baldwin	Graham	Rosen
Bennet	Harris	Sanders
Blumenthal	Hassan	Schatz
Booker	Heinrich	Schumer
Brown	Hirono	Shaheen
Cantwell	Jones	Sinema
Cardin	Kaine	Smith
Carper	King	Stabenow
Casey	Klobuchar	Sullivan
Collins	Leahy	Tester
Coons	Markey	Udall
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Daines	Murkowski	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Peters	

NAYS—42

Barrasso	Hawley	Risch
Blackburn	Hoeven	Roberts
Boozman	Hyde-Smith	Romney
Braun	Inhofe	Rounds
Capito	Johnson	Rubio
Cassidy	Kennedy	Sasse
Cotton	Lankford	Scott (FL)
Cramer	Lee	Scott (SC)
Crapo	Loeffler	Shelby
Enzi	McConnell	Thune
Ernst	McSally	Tillis
Fischer	Paul	Toomey
Gardner	Perdue	Wicker
Grassley	Portman	Young

NOT VOTING—5

Blunt	Cruz	Moran
Burr	Manchin	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senator from Ohio.

HEALS ACT

Mr. PORTMAN. Mr. President, I am here on the floor to talk about some of the steps that Congress should take in response to the coronavirus pandemic. I am going to start with talking about the legislation that the majority leader, Senator MITCH MCCONNELL, introduced yesterday.

One of the aspects of it that hasn't gotten much attention and that, I think, is very positive and a very effective way to get the economy moving in a safe way is with some tax legislation. These are tax credits and tax deductions that help to encourage the hiring of new workers but that also do so in a safe way. These are the kinds of things that make a lot of sense and that have a lot of bipartisan support and appeal, so I think it should be part of whatever final package we end up with.

The goal of these tax incentives is to say that we want people to reenter the workforce but to do it in a safe and sustainable way. For example, in the McConnell proposal is legislation I have introduced, called the Healthy Workplaces Tax Credit Act. It is very simple. It says there will be a credit on the employer's side of payroll taxes against qualified employee protection expenses and workplace reconfiguration expenses to ensure employers can afford additional safety measures.

As I travel around the State of Ohio, I see the Plexiglas dividers. You have probably seen those in offices where there are more open settings. You see it in a lot of retail places now. There is a cost to that, but there is also a cost to personal protective gear—the masks and the gowns and the gloves and the other things that people are needing in order to have a safe workplace. As I have been in some of the factories around Ohio, I have also seen that they have had to reconfigure the factory spaces in order to provide more social distancing. At one plant, in its floor plan, it had expanded the lunchroom in order to provide more social distancing, and that, of course, meant there was less space for manufacturing. These are costs, and these are the kinds of things that could be part of this credit.

So my hope is, whether it is a thermometer check or whether it is more testing or whether it is PPE or whether it is more hand sanitizer, that we could encourage people to use these things by having a tax credit. It would provide an immediate stimulus to the economy as well, which is a good thing because many businesses would be operating at a loss and not have taxable income, but they would have payroll tax liability, and this is a credit to the payroll tax.

It also applies, by the way, to non-profits, as it should, and to the 501(c)(3)s. I was at one of the alcohol and drug addiction entities in one of our counties the week before last, and it had Plexiglas up. Frankly, it is hurting in terms of its budget right now, but it felt like it had to have a safe place for people to work. We want everybody to have a safe place. We want